

**PLEASE BRING YOUR AGENDA FROM THE OCTOBER 8, 1996  
MEETING OF THE ACADEMIC SENATE**

**FILE COPY**

CALIFORNIA POLYTECHNIC STATE UNIVERSITY  
San Luis Obispo, California 93407  
**ACADEMIC SENATE**

**Meeting of the Academic Senate  
Tuesday, November 12, 1996  
UU220, 3-5:00pm**

- I. Minutes: none.
- II. Communication(s) and Announcement(s):
  - There will be two more Academic Senate meetings this quarter on November 19 and November 26 (if needed to complete all second-reading items). Please mark your calendars.**
- III. Reports:
  - A. Academic Senate Chair:
  - B. President's Office:
  - C. Provost's Office:
  - D. Statewide Senators:
  - E. CFA Campus President:
  - F. Staff Council representative:
  - G. ASI representatives:
  - H. IACC representative:
  - I. Athletics Governing Board representative:
  - J. Other:
- IV. Consent Agenda:
- V. Business Item(s):
  - A. **Resolution on Policy on Amorous Relationships:** Swartz, chair of the Status of Women Committee, first reading continued from October 29 meeting (pp. 2-5 attached).
  - B. **Resolution on Allocation of Cal Poly Funds:** Hood, chair of the Budget Committee, first reading (p. 18 on your October 8 agenda).
  - C. **Resolution on Input into Campus Planning:** Greenwald, Academic Senate Chair, first reading (p. 19 on your October 8 agenda).
  - D. **Resolution on Program Review and Improvement Committee's Findings for 1995-1996 programs reviewed:** Morrobel-Sosa, first reading (see separate document enclosed with your October 8 agenda).
- VI. Discussion Item(s):
- VII. Adjournment:

Adopted:

**ACADEMIC SENATE  
OF  
CALIFORNIA POLYTECHNIC STATE UNIVERSITY  
San Luis Obispo, California**

**AS- -96/  
RESOLUTION ON  
AMOROUS RELATIONSHIPS**

- WHEREAS, Faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others; and
- WHEREAS, Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power; and
- WHEREAS, The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex; and
- WHEREAS, It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics; and
- WHEREAS, Cal Poly's Faculty Code of Ethics and the AAUP's Statement on Professional Ethics affirm that (1) professors adhere to their proper roles as intellectual guides and counselors, (2) they make every reasonable effort to assure that their evaluations of students reflect each student's true merit, and (3) they avoid any exploitation of students; therefore, be it
- RESOLVED: That Cal Poly adopt the attached *Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them*.

Proposed by the Status of Women Committee  
May 13, 1996  
Revised October 29, 1996

## **POLICY ON AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND FACULTY OR INSTRUCTIONAL STAFF WHO EVALUATE OR SUPERVISE THEM**

California Polytechnic State University, San Luis Obispo

May 10, 1996

### **I. POLICY STATEMENT: AMOROUS RELATIONSHIPS IN THE INSTRUCTIONAL CONTEXT**

**It is the policy of California Polytechnic State University, San Luis Obispo that faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities.**

Friendships or mentoring relationships between faculty or instructional staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

~~Marital relationships are covered separately in the Campus Administrative Manual (Conflict of Interest - section 311.5).~~

### **II. RATIONALE FOR POLICY**

The University's educational mission is promoted by professionalism in faculty-student relationships, and professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty or other members of the instructional staff that undermine this professionalism jeopardize the University's ability to fulfill its educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or other member of the instructional staff and a student entails serious ethical concerns when the faculty or instructional staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and

subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or instructional staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or create a hostile and unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that makes or appears to make obtaining benefits (such as advancing one student over others) contingent on amorous or sexual favors.

### III. DEFINITIONS

As used in this Policy, the term "faculty member" or "instructional staff" means any member of the university community who engages in instructional or evaluative activities of any student who is enrolled in a course being taught by that individual or whose academic work, including work as a teaching or research assistant, is being supervised or evaluated by that individual. Graduate or undergraduate students, when performing official University academic supervisory or evaluative roles with respect to other students, are considered instructional staff for the purposes of this Policy.

As used in this Policy, an amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.

As used in this Policy, to "evaluate or supervise" means:

- a. To assess, determine or influence (1) one's academic performance, progress or potential or (2) one's entitlement to or eligibility for any instructionally conferred right, benefit or opportunity, or
- b. To oversee, manage or direct one's academic or other institutionally prescribed activities.

### IV. AMOROUS RELATIONSHIPS OUTSIDE THE INSTRUCTIONAL CONTEXT

Amorous relationships between faculty members or other members of the instructional staff and students occurring outside the instructional context may also lead to difficulties. Particularly when the individual and the student are in the same academic unit or in units that are academically allied, relationships that the involved parties view as consensual may be disruptive to unit activities and appear to others to be exploitative. Further, in these and other situations, the faculty or instructional staff member may face serious conflicts of interest. In any such situation, therefore, faculty or instructional staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.

## V. PROCESS AND SANCTIONS

Because of the sensitive nature of such relationships, every reasonable effort should be made to resolve alleged Policy violations on an informal basis if possible. Concerns about problems related to this Policy may be taken to the administrative official most directly involved, excluding the person alleged to have violated this Policy, or to one of the individuals listed below in Section VIII.

Any remedial actions taken through informal procedures by the administrative official most directly concerned, excluding the person alleged to have violated this Policy, will depend on the totality of the circumstances. Efforts should be made to be constructively educational and to be corrective rather than punitive if a Policy violation is found: an acknowledgment of the violation and a commitment not to violate the Policy in the future, along with a warning or other appropriate action directed toward the faculty or other instructional staff member, may be sufficient resolution. In cases where further action is deemed appropriate, sanctions may range from a letter of reprimand to dismissal of faculty, all in accordance with applicable University procedures.

## VI. APPEALS

If not satisfied with the administrative official's decision, the faculty member or other member of the instructional staff accused of a Policy violation may proceed, in accordance with established procedures, to the grievance or hearings committees to which he or she otherwise has access.

## VII. ABUSE OF THIS POLICY

Complaints found to have been intentionally dishonest or made in willful disregard of the truth may subject the complainant to disciplinary action, with possible sanctions ranging from a letter of reprimand to dismissal.

## VIII. RESOURCES FOR ASSISTANCE AND INFORMATION

Questions concerning this Policy may be addressed to the University's Director of Affirmative Action (756-2062), Women's Program/Student Life and Activities (756-2476), the Sexual Harassment Advisors (names and numbers are available from Director of Affirmative Action), the Vice President of Student Affairs (756-1521), and the Vice President of Academic Affairs (756-2186).

Copies of the Policy are available from Department Chairs and from the offices listed above. These offices are also prepared to help people understand what the Policy means and what options for resolution are available if they believe they have experienced a problem related to this Policy in connection with their academic study or work at the University.